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Docket No.: ENDIUS.013A **CUSTOMER NO. 20995**

Applicant	:	Alan E. Shluzas et al.
App. No.	:	10/678,744
Filed	:	October 2, 2003
For	:	MINAMALLY INVASIVE ACCESS DEVICE AND METHOD
Examiner	:	James L. Swiger III
Group Art Unit	:	3733

CERTIFICATE OF FAX TRANSMISSION
PTO CENTRALIZED FAX

I hereby certify that this correspondence and all marked attachments, are being transmitted via facsimile to the USPTO centralized Fax No. (571) 273-8300 on the date shown below:

May 19, 2006
(Date)

Total number of pages including this sheet: 3

Curtis R. Huffmire, Reg. No. 48,877

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Response to Restriction Requirement in 2 pages.

FILING FEES:

FEE CALCULATION				
FEE TYPE		**FEE CODE**	**CALCULATION**	**TOTAL**
1 Month Extension		1251 ($120)		$120
			SUB TOTAL	$120
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by ½.				($60)
			TOTAL FEE DUE	$60

(X) An extension of time is hereby requested by payment of the appropriate fee indicated above.

(X) Please charge the total fees due in the amount of $60 to Deposit Account No. 11-1410.

(X) Total pages in transmission: 3

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

Curtis R. Huffmire
Registration No. 48,877
Attorney of Record
Customer No. 20,995
(949) 760-0404

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051906

PAGE 1/3 * RCVD AT 5/19/2006 2:19:09 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/1 * DNIS:2738300 * CSID:9497609502 * DURATION (mm-ss):01-06

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PATENT

ENDIUS.013A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Curtis R. Huffmire, Reg. No. 48,877

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Restriction Requirement mailed March 20, 2006 in the above-identified application, the restriction requirement did not address Claims 40-59. Applicant believes that Claims 40-49 should be included in Group II and Claims 50-59 should be included in Group I. In response to the Restriction Requirement, Applicants elect the claims of Group I, Claims 1-38 and 50-59, for further examination. Further, Applicants elect Species S, Figs. 97-103. Claims 1-38 are readable on the elected species.

Should the Examiner have any questions concerning this response, the Examiner is respectfully invited to call the undersigned at the telephone number appearing below.

05/23/2006 EFLORES 00000101 111410 10678744
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PAGE 2/3 * RCVD AT 5/19/2006 2:19:09 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/1 * DNIS:2738300 * CSID:9497609502 * DURATION (mm-ss):01-06

Appl. No. : **10/678,744**
Filed : **October 2, 2003**

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 19, 2006

By: _____

Curtis R. Huffmire
Registration No. 48,877
Attorney of Record
Customer No. 20,995
(949) 760-0404

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PAGE 3/3 * RCVD AT 5/19/2006 2:19:09 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/1 * DNIS:2738300 * CSID:9497609502 * DURATION (mm-ss):01-06